

## **CITY OF BELMONT**

### **PLANNING COMMISSION**

#### **ACTION MINUTES**

**TUESDAY, JULY 17, 2007, 7:00 PM**

Chair Parsons called the meeting to order at 7:02 p.m. at One Twin Pines Lane, City Hall Council Chambers.

#### **1. ROLL CALL**

Commissioners Present: Parsons, Horton, Mayer, Mercer, Wozniak  
Commissioners Absent: Frautschi, McKenzie

Staff Present: Community Development Director de Melo (CDD), Senior Planner DiDonato (SP), Associate Planner Walker (AP), City Attorney Zafferano (CA), Recording Secretary Flores (RS)

2. AGENDA AMENDMENTS – The order of hearing Items 6C and 6D were reversed.

3. COMMUNITY FORUM (Public Comments) - None

#### **4. CONSENT CALENDAR**

4A. Minutes of 06/19/07

MOTION: By Commissioner Mercer, seconded by Commissioner Wozniak, to accept the Minutes of 6/19/07 as presented, with removal of the Resolution that was mistakenly attached.

Ayes: Horton, Mayer, Mercer, Wozniak, Parsons

Noes: None

Absent: McKenzie, Frautschi

Motion passed 5/0/2

#### **5. OLD BUSINESS:**

5A. Final Landscape Plan – 1220 Avon Street

AP Walker summarized the staff memorandum, recommending approval with the conditions attached, and answered questions from the Commission.

Paul Fitzgerald, landscape architect for the project, described the trees that were planted and confirmed that the Redwood trees are at least 3' from the fence. He took responsibility for removal of the original trees as he did not know that they had been part of a previous plan, explaining that he felt they needed to go for a better landscape.

Commissioner Wozniak noted that the new trees are smaller specimens and probably not exactly what the Commission would have approved, but that she could approve the plan.

Commissioner Horton pointed out that the rose trees and other shrubs will be quickly eaten by deer, and that the Olive tree is pretty but too small for the spot. She recommended a larger crowing tree in the front yard.

Commissioner Mayer agreed that a larger canopy type of tree in the front yard where the smaller trees are shown would be a good addition to the plan.

Commissioner Mercer stated that she could not make the bulk finding because it is close to the street and needs something very tall to help its scale and taper down to the street. She felt they need to re-establish tall heritage trees along all of the streets in this area, and this house needs something very large in the front for balance.

Chair Parsons explained to Mr. Fitzgerald that when they approved the house the major concern was its bulk relative to the scale of the neighborhood and one of the mitigations was that keeping the trees helped to reduce the bulk of the house. He liked the landscape plan but agreed that the deer will eat some of the plants, and suggested that he could approve it with the addition of a large tree in the front yard, possible relocation of the olive tree to where one of the tree roses is and then the addition of a larger tree on the corner.

MOTION: By Commissioner Horton, seconded by Commissioner Mayer, to adopt the Resolution approving the revised Final Landscape Plan for 1220 Avon Street (Appl. No. 2005-0071) with the conditions attached and the added conditions that the 24" box olive tree be relocated on site and be replaced with a tree that crowns at 30' or higher, and that any of the plants that are not deer proof be replaced when consumed.

Ayes: Horton, Mayer, Mercer, Wozniak, Parsons

Noes: None

Absent: McKenzie, Frautschi

Motion passed 5/0/2

#### 6A. PUBLIC HEARINGS

##### 6A. PUBLIC HEARING – 630 Kingston Road (Continued from 3/20/07 PC Meeting)

To consider a Single Family Design Review to construct a new 3,448 square foot single family residence that is below the zoning district permitted 3,500 square feet for this site.

(APPL. NO. PA 2006-0053)

APN: 044-194-130; Zoned R-1A

CEQA Status: Categorical Exemption per Section 15301, Class 1

APPLICANT: Dale Meyer

OWNER: Rose Hocker

PROJECT PLANNER: Damon DiDonato, (650) 637-2908

SP DiDonato summarized the staff report, recommending approval with the conditions attached. He answered questions from the Commission as follows: 1) the wall above the driveway that appears to be 6' or higher will require a railing; 2) the covered verandas are excluded from the total floor area; and 3) a 33' portion of Kingston Avenue will be upgraded according to Public Works standards.

Dale Meyer, architect for the project, summarized the changes that have been made in response to Commissioner's comments at their March 20th meeting. He added that the neighbor who has the best view of the house had written a letter in support of the project. Responding to questions from the Commission, he stated that it is still essentially a one-story house – all living spaces are on one floor – and from the first floor to the peak of the roof is 15'6". The dirt from the driveway will be put under the house.

Chair Parsons opened the Public Hearing. No one came forward to speak.

MOTION: By Commissioner Horton, seconded by Commissioner Wozniak, to close the Public Hearing. Motion passed 5/0/2 by voice vote.

Commissioner Wozniak appreciated the work that had been put into the revised plans, but felt that the uncovered and covered patios created excessive bulk.

Commissioner Horton felt that the design was greatly improved.

Commissioner Mercer thanked Mr. Meyer and felt it would be a much better home. She asked that it be clarified that they are not irrigating the Oaks, that they are stepping the retaining wall, and that everyone understands that page 7 was not part of what was being approved and should be removed from the plans.

Commissioner Mayer concurred and felt that the Spanish style would be fine in the neighborhood and demonstrated the eclectic nature of the area.

Chair Parsons thanked Mr. Mayer for making the effort to address the Commission's comments. He added that it would help if they could step the wall down a bit get rid of railings in front, and asked that a landscape plan with revised walls come back to the Commission.

MOTION: By Commissioner Mercer, seconded by Commissioner Horton, to adopt the Resolution approving a single-family Design Review at 630 Kingston Road (Appl. No. 2006-0053) with the conditions attached and the added conditions that a revised retaining wall plan and corrected landscape and irrigation plan be returned to the Commission for approval.

Ayes: Mercer, Horton, Mayer, Wozniak, Parsons  
Noes: None  
Absent: McKenzie, Frautschi

Motion passed 5/0/1

Chair Parsons stated that this item can be appealed to the City Council within 10 calendar days.

6B. PUBLIC HEARING – 300 EL CAMINO REAL (Continued from 6/5/07 PC Meeting)

To consider a Conditional Use Permit to allow a Cabaret Use (consisting of live music, and belly dance performances with dancing by restaurant patrons), and extended hours at Shalazaar Restaurant (Appl. No. PA2007-0012).

APN: 044-173-180; ZONING: C-3 (Highway Commercial)

CEQA Status: Categorical Exemption per Section 15301

APPLICANTS/OWNERS: Saeed and Narges Ayagh

PROJECT PLANNER: Damon DiDonato, (650) 637-2908

SP DiDonato summarized the staff memorandum, noting that the applicant had responded to the Commission's concerns from the June 5, 2007 meeting, but that the revised project is not entirely consistent with the Commission's direction nor is it consistent with staff's recommendations to the applicant in subsequent meetings. Staff believes that the conditions as recommended by staff would mitigate for the noise to the surrounding area. Comments by some neighbors were left on the daises that generally speak to concerns about potential noise and parking impacts from the cabaret use. The City Attorney had also suggested that Condition 5 within Exhibit A be changed to read "Live musical entertainment (including belly dancing presentations and dancing by patrons) shall be..." and then in the fourth line when live musical entertainment is referenced again it would reference the first line so it is clear that they are the same.

Commissioner Wozniak clarified with staff that if the CUP is reviewed in 6 months, as referenced on page 2 of the Resolution, and they find that there are problems with the current operation, the Commission has the authority to call up the permit and rescind it. Staff would investigate, both sides would be able to present their sides of the equation, and if impacts did indeed exist they could rescind the use permit.

Commissioner Horton confirmed with CA Zafferano that the name of the restaurant should be removed from Condition 8.

Responding to Commissioner Mayer's question, SP DiDonato stated that patron dancing would occur on the 144-sq.ft. dance floor located at the front of the restaurant. When there is no live music or belly dancing there would be 2 to 3 tables in that area, which would be stored in the kitchen storage area when not in use. In addition, SP DiDonato confirmed that the proposal is that there could be patron dancing with live music every Friday and Saturday night.

Commissioner Mercer ascertained that there are no restrictions at The Vans similar to the proposed parking lot management and notification to customers about noise levels, but that The Vans does not have a cabaret license.

Chair Parsons suggested that staff investigate the possibility of removing the red parking zone in front of the restaurant, perhaps by moving the bus stop.

Ben Varades an architect and friend of the new owners of this restaurant, pointed out that their business is food, not running a night club, but in order to run the restaurant and pay for all the improvements that they have made on that site and they like to have private parties. If it's a large enough private party the clients like to bring music. He added that, except for the very special occasions, their business is from 11 in the morning until about 10 at night.

Chair Parsons opened the Public Hearing.

Lauri Harris, Belmont resident, stated that she is happy to have a new restaurant but was opposed to the music hours. She found it hard to believe that a permit would be issued that has more extended hours than Hola's restaurant, believing that they are both in a residential area. She was also concerned about parking and noise from music and people leaving late at night.

Bobby Grace, Belmont resident, felt that if the permit is approved it would destroy the family life of the 800 block of Anita. He was concerned that there would not be enough parking for the permitted dining patrons, let alone the 300-400 people who could be there for special occasions. Chair Parsons pointed out that if they exceed the 133-person capacity established by the Fire Department, they could be shut down. SP DiDonato added that that number is inclusive of staff, and that there is room for only approximately 70 seats in the dining room, which would allow 2 people per car for the 35 parking spaces available. Mr. Grace doubted that the owner would tell their clients that they can only invite 130 people.

Rick Scrogings, Belmont resident, stated that his understanding of the restaurant business is that to be successful you need good food and good service, and that music is not needed. He was fearful that they could end up with another St. James Gate and noted that he had presented a petition signed by 40 neighbors who do not want live music.

Angelo Ciardelle, Belmont resident, concurred with what had been said before and asked the Commission to put themselves in the neighbors' shoes.

Luke Kowalski, Belmont resident, noted that noise carries up the hill and objected primarily to the hours.

Louise Peirona, Belmont resident, supported the project, and was disturbed that people object to noise and parking problems. She recalled hearing the Marine World lions roar at night, and listens to busses and normal street noises every day. She believed that Belmont needs an establishment where people can go to dance and have a good time.

Marianne Cunningham, Belmont resident, complimented the owners on the time, dedication and money they have into the building and landscaping. She feels it has brought some class to Belmont and asked that neighbors give the business a chance to survive before complaining.

Edward Drake, Belmont resident, noting his experience with The Vans, feared that the owners will be nice but the patrons will be rude.

MOTION: By Commissioner Mayer, seconded by Commissioner Wozniak, to close the Public Hearing. Motion passed 5/0/2 by voice vote.

Commissioner Mercer pointed out that the petition that was signed prefaced the portion of the Staff Report that the applicant was requesting as opposed to what staff was recommending. She noted that the property is zoned Highway Commercial is adjacent to a large commercial highway which contains all kinds of businesses used for trucking, that there is a train that runs regular routes and that this is not the first nor the last restaurant that will have patrons coming and going throughout the night. Part of the conflict in her

mind is that she hears from the applicant that his clients want to hire somebody for private parties, yet the application doesn't imply that. It implies that it will be a cabaret open to the public and it doesn't say anything in the report or any application that they want to close to the public and have private parties. She believed the staff recommendation was reasonable but was concerned with provisions about adding requirements for parking lot management; i.e., what is the expectation of the permit holder to manage?

Commissioner Mayer stated that he could not see the qualitative difference between this restaurant and the ones that were there before. He wondered if the noise attendant to this establishment is going to be from the restaurant or from the entertainment and felt that the establishment itself is what will create traffic and parking problems. He felt that the owners have done everything that they can to bring this into some sort of reasonable arrangement which will minimize the concerns to the maximum degree possible and still have their restaurant concept viable. His main concern is not with this establishment but with the possibility of grandfathering in of whatever happens later, so felt that the restrictions should be as clear and specific as possible to give them the maximum amount of protection for the future. He reminded the neighbors that they are in a commercial area and will be next to a restaurant one way or another, and asked them to give the establishment a chance based on the very strict conditions that will be imposed on them.

Commissioner Horton felt that the parking lot is of a decent size and concurred that the City should look at the red curb in front to possibly alleviate some of those issues. She added that her neighborhood is surrounded by schools, which also create parking problems. Regarding the occupancy issue, she suggested that if the neighbors see too many cars they should call the police, and that the City has a noise ordinance to deal with noise issues. She asked staff to explain the difference between the C-1 zoning for Holas and the C-3 zoning for Shalizaar. SP DiDonato responded that C-1 is Neighborhood Commercial, which means the uses in that district should be appropriate for a neighborhood – quiet uses that close early and that you generally walk to. The C-3 district is Highway Commercial, where uses are dependent upon vehicles for their livelihood. In that district noisier uses or more intense uses may occur. Commissioner Horton then pointed out that this applicant purchased a restaurant in a C-3 Highway Commercial district believing that they could do more than what they were doing on 25th Avenue in San Mateo. She stated that Commissioners would like to do their best to mitigate whatever noise there is, however, it is a C-3 district and there are some things that are allowed there that are not allowed in Holas's C-1 district. They cannot outlaw all business in Belmont – Belmont needs to have tax revenue. She believed that this applicant has greatly improved the restaurant and should be allowed to operate it. She would like to see rewording that indicates that they are not going to do something every Friday and Saturday but only for special private occasions, and would allow "x" number of special occasion events during the year; a greater number spread through the whole year but not every Friday and Saturday night, perhaps with a maximum number of days per week and a maximum number of days per month with a finite number of days per year that would be floating days.

Commissioner Wozniak concurred that the restaurant is a great improvement that was approved previously, and that this cabaret license is an additional request. She too would like to see the red zone eliminated in front of the restaurant. She believed limited hours will limit the noise and limit the aggravation for the neighborhood, and felt that whatever zone it is in, the people who live behind it are in a residential zone and deserve to have peace and quiet during the week. She felt they should limit the floating days to 10 or 15 until they've had some time to try it out. She added that if this is approved in any form the neighborhood needs to know that if they have problems they need to complain, first to the applicants, but if that doesn't work they need to complain to the City over and over again because that's the only way things will get settled. Also, if they don't have complaints, they need to congratulate the applicant.

Chair Parsons stated that they need to clarify exactly what is going to happen – is the business going to be hiring the entertainers or are the guests bringing the entertainers and, if it's for private parties and they're not going to be advertising that they have live music on Friday and Saturday nights, that needs to be clarified. He added that as far as the noise and the parking issues are concerned, that is something that every business deals with in every residential neighborhood and would suggest a condition that they would operate with closed windows and doors.

Commissioner Wozniak suggested that they need to find out what works for the business and try to craft conditions that would make it less likely to carry to another business that might follow – something that would be so specific to this particular business that would be awkward for someone else to follow.

SP DiDonato explained that they had found it very problematic to speak with the applicant about their desire to have special events vs. their desire to have a public restaurant at the same time. He felt it would be very

difficult to regulate a restaurant open to the public but during the same time period they are having a special event. The proposal was from 5 p.m. till 11 or midnight; if the public is still in the restaurant at 10, are they going to tell those people to leave and are they not going to hear the music that is occurring at the same time? Defining a special event became very difficult and problematic, and that is why the staff report was prepared the way it was. Staff can work with the applicant to try to better define how that would occur with the thought in mind that this is not an event center where you have a separate banquet and public facilities – this is one big room and that's it.

Commissioner Mayer commented that the reason they picked Friday and Saturday was they wanted it to be kept quiet during the week with few exceptions, and that if they have dancing and a dj every weekend in addition to the special occasions it would be an issue with him.

CDD de Melo asked for clarification of the closing time of the restaurant the Commission would be comfortable with. The staff report indicated that the entertainment would stop at 11:30 with the restaurant closing at midnight on Friday and Saturday nights, and with the entertainment stopping at 10:00 and the restaurant closing at 11:00 Sunday through Thursday.

Chair Parsons indicated that he would be comfortable with those hours.

Commissioner Mayer stated that he would like clarification as to whether the patron dancing will be a special event occasion or a regular occurrence.

Commissioner Wozniak asked that neighbors be notified when staff is going to be conducting the six-month evaluation so that they can provide real feedback. CDD de Melo added that if at any point from day one of the operation there are any noted violations they will be part of the 6-month report.

Commissioner Horton suggested language that special parties are allowed on any weekend between these hours but the wording would be that it was a special function and not entertainment provided by the restaurant, which would separate it from the other two cabaret licenses that have been granted where the restaurant itself is providing entertainment for the public. Referring to Condition 7, she also asked that "and related exterior noise from departing patrons" be added after the word "entertainment."

Responding the Commissioner's questions, owner Narges Ayagh said she thinks the restaurant will open by the end of next month.

CDD de Melo asked that the item be continued to a date uncertain but will make every effort to get it back on an agenda within the next 2 meetings.

Responding to Commissioner Mercer's question, Narges Ayagh, owner, said that the restaurant will probably open by the end of next month.

MOTION: By Commissioner Horton, to continue Appl. No. PA 2007-0012, Conditional Use Permit to allow extended hours and a cabaret use at 300 El Camino Real, to a date uncertain.

Ayes: Horton, Mayer, Mercer, Wozniak, Parsons

Noes: None

Absent: McKenzie, Frautschi

Motion passed 5/0/2

#### 6D. PUBLIC HEARING – 2000 Alden Street

To consider a Single Family Design Review to construct a 506 square foot addition to the existing 1,576 square foot single-family residence for a total of 2,082 square feet that is below the zoning district permitted 2,816 square feet for the site.

(Appl. No. 2007-0019)

APN: 044-290-420; Zoned: R-1C (Single Family Residential)

CEQA Status: Categorical Exemption per Section 15303

Applicant: Guillermo Prado  
Owner: Terdoro Pimentel  
PROJECT PLANNER: Rob Gill, (650) 598-4204

CDD de Melo summarized the staff report, recommending approval.

Ted Pimentel, owner, clarified that the outreach program took place in the beginning of May, and copies of letters from six neighbors expressing support of the project had been submitted to the City.

Chair Parsons opened the Public Hearing. No one came forward to speak.

MOTION: By Commissioner Wozniak, seconded by Commissioner Mayer, to close the Public Hearing. Motion passed 5/0/2 by voice vote.

MOTION: By Commissioner Wozniak, seconded by Commissioner Horton, to adopt the Resolution approving a Single-Family Design Review for 2000 Alden Street (Appl. No.2007-0019) with Conditions attached.

Ayes: Wozniak, Horton, Mayer, Mercer, Parsons

Noes: None

Absent: McKenzie, Frautschi

Motion passed 5/0/2

6C. PUBLIC HEARING – 2612 Hallmark Drive (Continued from 6/19/07 PC Meeting)

To consider a Single Family Design Review to construct a new 3,491 square-foot two-story single-family residence on an existing vacant lot that is below the zoning district permitted 3,500 square feet for the site. (Appl. No. 2007-0018)

APN: 045-421-190; ZONED: R-1B (Single Family Residential)

CEQA Status: Recommended Categorical Exemption per Section 15303

Applicant: Morton Frank, F.A.I.A.

Owners: Ray and Ruby Urbino

PROJECT PLANNER: Jennifer Walker, (650) 595-7453

CA Zafferano stated for the record that there was a slight delay in the meeting as the architect had left the room.

AP Walker summarized staff memorandum, and clarified in detail which pages were reviewed and analyzed by staff as part of the staff report preparation. The plans staff evaluated may not be totally consistent with everything that was included in Commissioners' packets, due in part to the applicant's inability to meet several clearly established deadlines, but that the Commission had all of the plans that had been submitted. She added that the adjacent homeowner on the right had contacted staff that day to express concerns with retaining walls in the side yard that would be immediately adjacent to her property since there are no provisions for a safety railing or tall landscaping. Staff was able to make all of the Single-Family Design Review findings based on the revised drawings and recommend approval with the conditions attached.

Chair Parsons asked for clarification of some of the drawings, noting that planters were not identified or described on some of the drawings in some instances.

Commissioner Horton pointed out that the drawings were confusing and conflicting, so that they do not know what they are being asked to approve. AP Walker confirmed that the applicant had been asked to edit the drawings for the Commission's review and the drawings in front of them are what were provided.

Commissioner Mayer asked for and received clarification that a car or truck may be parked in the back yard.

Mort Frank, project architect, asked for time to have AP Walker show him the packet that was given to the Commission. Chair Parsons declared a 5-minute recess.

M. Frank explained that construction drawings were included in the packet exclusively to indicate dimensions for reference because that is what the City's application requires, and admitted that a couple of those drawings were not brought up to date with regard to adding planters and/or planting in lieu of pavement. He further explained the project in detail.

CA Zafferano denied Mr. Frank's request to quiz the Commissioners in order to be sure that he has cleared everything up, and explained the procedures that are followed in a Public Hearing.

Mr. Frank alluded to the possibility that Chair Parsons had expressed his dislike of the project at a gathering he had attended before the drawings were submitted. Chair Parsons chose not to respond to this comment.

Chair Parsons opened the Public Hearing.

Denise Bolbol, Belmont resident, felt that the building is going to ruin the lot, and wondered how long it took to grow the 48" Oak tree and how long it will take to re-grow it. It had been her understanding that they were going to have open spaces and this is one of the last available spots on Hallmark. She suggested that the proposed change for the car port is still a car port and not natural space, and wondered if they will be allowed to trim the trees once they interfere with their view

MOTION: By Commissioner Wozniak, seconded by Commissioner Mayer, to close the Public Hearing. Motion passed 5/0/2 by voice vote.

Commissioner's commented as follows:

Commissioner Mercer:

- An applicant earlier on the agenda had responded to the Commission's concerns with significant revisions to the home. On this one she is seeing details but nothing significantly different than the last presentation. Her concerns from the last hearing still remain.
- The applicant is clearly respectful of the terrain and the delicate nature of the lot and the view of the neighbors.
- Unfortunately, that is where that thought process stopped. This is a 41% sloped lot, the house starts below grade but then it continues straight out on that level and really makes very little effort to nestle or step down into the landscape. It requires 40 trucks of fill. She still cannot make the finding for bulk and grading.
- Spent a lot of time trying to understand where the house is placed and the fact remains that the bottom floor of the house, regardless of how many terraced containers there are, is in excess of 8' above grade at the back of the house, which really makes it a 3-story house.
- Resented that it pays no respect for the fact that the entire back end of the lot is sloped.
- Heavily concerned about 40 trucks of fill being brought in. Could not make the finding that the amount of fill is acceptable.
- Could not make the finding about the building bulk, explaining that this is not something that can be changed by changing an awning, and that it is too much foundation for a sensitive delicate lot. She had no objections to building a house on the lot and what she is seeing from the street is not all that objectionable, except for the roof on the garage. But from the back side it looks like they forgot the principal they were starting out with; it needs a substantial revision in the approach. They can put 3500 sq.ft. on the lot but not 3500 sq.ft. plus another 1400 sq.ft. of solid built living space.
- Even if somebody brought this plan back to her and it was all consistent and it said they need 400 cubic yards of fill and an extra 1500 sq.ft. of space, it is not going to help her make that finding.

Commissioner Mayer:

- A bit less concerned as he sees a big effort from the street level.
- Problem is with the garage, which he did not think was well integrated into the design. He did not see a covered passage way from the garage into the house.
- Was bothered by the grasscrete at the side of the house and almost in the front. If they want a 3-car garage he felt they should reduce the square footage in the house and build the garage as part of the house.

Commissioner Horton:

- Could not add to Commissioner Mercer's comments except that she was disappointed that they did not get



much of a response to their comments at the last review.

- It would be nice to see the house stepped down rather than fly off the hill.
- The roof of the garage is better but is a different roof than the rest of the house, which she found to be a little odd.
- Need to see a set of integrated plans that match each other so they can see what they are looking at.

Commissioner Wozniak:

- Agreed with Commissioner Mercer that it would be nice if the house hugged the site.
- Had trouble with Finding A because of the open space to the left. Concurred with Ms. Bolbol that this is one of the few remaining open spaces and public views on that street where you can actually see out. She was not against building a house on this site but if it were situated differently and if the architect would have taken into account the Commission's earlier suggestions, it would fit in more with the space.

Chair Parsons:

- Very disappointed that the drawings were not what they should have had.
- His major concern has always been that this house has 400 cubic yards of fill coming in and that on the neighbor's property they're doing a fill area and more fill down below, with no data to show what that was – no finished grades under the house and no data on the heights and levels of all the walls. Since there are no finished grades under the house he did not see how anyone could determine what the fill amount would be. 400 cubic yards is more fill than a 20 unit condo complex on South road and Ralston, and it's not just 40 trucks, it could end up being 60 trucks, depending on how compacted it is, and that is not 60 one way, that's 60 in and out.
- They have created flat back yards and he is told the lower deck is not filled all the way and yet at the far end closest to the long side of the house the existing grade is 670 and the deck is 680, and a planter is in an 8' hole. There's missing data on the drawings that would have helped him understand it better.
- Concern has always been the bulk of the house. They are trying to create a flat house on a lot that is not flat.
- Would not want to live next door to neighbor who has a car parked in the back yard. If they want a 3-car garage they should build a 3-car garage. Would be out of keeping with the neighborhood if they created a spot for a car next to a neighbor.
- No objection to a house being built but wants to make sure it is right for Belmont.
- When the Commission gives comments to an applicant it's not meant to start a war, it's meant to start a process of figuring out what is best for those who live in the neighborhood and Belmont.
- Could not make the findings because he did not have enough data. The drawings are confusing and they have a right to have drawings they can understand so they know what they are voting on.
- Regarding the architecture on the roof of the garage, it would be more attractive if the garage had the same overhang as the house. He had no objection to a flat roof connecting the two, but cautioned that it would become a wind tunnel and maintenance problem for the owner.
- They do not need all the retaining walls and fill around the back of the house, and that would alleviate some of the neighbors' concerns as well. They do not need to see a car in the back yard.

MOTION: By Commissioner Mercer, seconded by Commissioner Wozniak, to continue the Design Review for 2612 Hallmark Drive (Appl. No. 2007-0018), to address design issues.

Ayes: Mercer, Wozniak, Horton, Mayer, Parsons

Noes: None

Absent: McKenzie, Frautschi

Motion passed 5/0/2

## 7. REPORTS, STUDIES AND UPDATES:

CDD de Melo reported as follows:

### A. Avanti Pizza Commercial Center – 2040 Ralston Avenue

He received a phone call early the previous week from the property owner/manager of the site. They had met with the landscape architect and expect plans by the end of this month.

### B. U-Haul – 530 El Camino Real

He was pleased to see a redwood tree planted for the building in the area where the planter was bare. Fines have been levied for noncompliance. He will continue to monitor.

C. NDNU Soccer/Lacrosse Field

An operational review of the issues raised will be on the agenda for the August 7th meeting.

D. US 101/ Marine Parkway Landscaping Project

A task force consisting of a Council member as well as one or two Commissioners and staff will be convened to address this issue.

AP Walker noted that, at Chair Parsons' request, copies of the ordinance that has language for the new parking upgrade had been given to Commissioners.

Commissioner Mercer called attention to the stand of trees between California Video and Vivace Ristorante that have been pruned back to nothing but tree trunks.

Commissioner Wozniak was pleased to note that the Belmont Farmers' Market is now advertised in the CalTrain brochure.

8. CITY COUNCIL MEETING OF TUESDAY, JULY 24, 2007

Liaison: Commissioner Horton

Alternate Liaison: Commissioner McKenzie

10. ADJOURNMENT:

The meeting was adjourned at 10:45 p.m. to a regular meeting on Tuesday, July 24, 2007, at 7:00 p.m. in Belmont City Hall.

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Carlos de Melo  
Planning Commission Secretary

CD's of Planning Commission Meetings are available in the  
Community Development Department.

Please call (650) 595-7416 to schedule an appointment.